

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**NOEL BRALLEY,  
CAROLYN BRALLEY,  
and  
BRAXTON BRALLEY,**

**Plaintiffs,**

v.

**Case No. 3:10-cv-138-REP**

**MARK A. CAREY, et al.**

**Defendants.**

**MOTION TO STRIKE DEFENDANTS' RESPONSE TO PLAINTIFFS' MEMORANDUM  
IN SUPPORT OF A FINDING OF CONTEMPT AGAINST DEFENDANTS**

Plaintiffs Noel Bralley, Carolyn Bralley and Braxton Bralley, by counsel, move the Court to strike Defendants' Mark A. Carey and The Law Offices of Mark A. Carey, P.C. response (ECF No. 76) to Plaintiff's Memorandum in Support of a Finding of Contempt against Defendants as being untimely filed. A memorandum supporting this Motion is filed concurrently herewith.

WHEREFORE, Plaintiffs respectfully request that Defendants' Response be stricken from the record.

Respectfully submitted,  
Noel Bralley  
Carolyn Bralley  
Braxton Bralley  
By Counsel

/s/  
By: Dale W. Pittman, VSB#15673  
Counsel for Noel Bralley, Carolyn Bralley  
and Braxton Bralley  
THE LAW OFFICE OF DALE W. PITTMAN, P.C.  
The Eliza Spotswood House  
112-A West Tabb Street  
Petersburg, VA 23803  
(804) 861-6000  
(804) 861-3368 (Fax)  
[dale@pittmanlawoffice.com](mailto:dale@pittmanlawoffice.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of November, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and hereby certify that I will electronically send and mail the document by U.S. mail to the following non-filing users:

Mark A. Carey, Esquire  
The Law Offices of Mark A. Carey, P.C.  
1000 McCoy Drive  
Conyers, GA 30094  
[markcarylalaw@ymail.com](mailto:markcarylalaw@ymail.com)

/s/

By: Dale W. Pittman, VSB#15673  
Counsel for Noel Bralley, Carolyn Bralley  
and Braxton Bralley  
THE LAW OFFICE OF DALE W. PITTMAN, P.C.  
The Eliza Spotswood House  
112-A West Tabb Street  
Petersburg, VA 23803  
(804) 861-6000  
(804) 861-3368 (Fax)  
[dale@pittmanlawoffice.com](mailto:dale@pittmanlawoffice.com)